

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

Curtis Rena Hill, #296024,  
a/k/a Curtis R. Hill,

Plaintiff,

vs.

Adell Dobey, Polly Hall,  
and Marcus Smith,

Defendants.

Civil Action No. 6:08-4080-HMH-WMC

**REPORT OF MAGISTRATE JUDGE**

This matter is before the court on the plaintiff's motion for judgment (doc. 51). The plaintiff, a state prisoner who is proceeding *pro se*, brought this action seeking relief pursuant to Title 42, United States Code, Section 1983.

Pursuant to the provisions of Title 28, United States Code, Section 636(b)(1)(B), and Local Rule 73.02(B)(2)(d), D.S.C., this magistrate judge is authorized to review all pretrial matters in cases filed under Title 42, United States Code, Section 1983, and submit findings and recommendations to the District Court.

In his complaint, the plaintiff alleges deliberate indifference to a serious medical need after he slipped and fell on a wet floor at Edgefield County Detention Center on September 29, 2008, causing injuries including a sprained ankle.

On September 24, 2009, the plaintiff filed a motion for judgment complaining that the defendants failed to timely respond to his discovery requests. In a previous order, this court ordered the defendants to respond to the plaintiff's discovery requests on or before September 21, 2009. The defendants state in their response that discovery responses were timely served by mail on September 21, 2009. The plaintiff apparently filed

his motion prior to having time to receive those responses through the United States Postal Service and the institutional mail delivery.

Based upon the foregoing, it is recommended that the plaintiff's motion (doc. 51) be denied as moot.

s/William M. Catoe  
United States Magistrate Judge

October 7, 2009  
Greenville, South Carolina